

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIGIPROTECT USA CORP.,

Plaintiff,

v.

DOES 1-266,

Defendants.

10 Civ. 8759 (TPG) (MHD)

**NOTICE OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

PLEASE TAKE NOTICE that upon the annexed Declaration of Virginia Tent, dated January 31, 2011, the accompanying Declaration of Alexander Maltas in Support of Motion to Admit Counsel *Pro Hac Vice*, dated January 28, 2011, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York, admitting Alexander Maltas to the bar of this Court *pro hac vice* in order to argue and ~~try~~ the above-captioned case as counsel for Third Party Time Warner Cable Inc.

Dated: New York, New York
January 31, 2011

2011 JAN 31 PM 4:03
S.D. OF N.Y.
U.S. DISTRICT COURT
FILED

LATHAM & WATKINS LLP

By: Virginia Tent
Virginia Tent

885 Third Avenue
New York, New York 10022
(212) 906-1200

*Attorneys for Third Party
Time Warner Cable Inc.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DIGIPROTECT USA CORP.,

Plaintiff,

v.

DOES 1-266,

Defendants.

10 Civ. 8759 (TPG) (MHD)

**ORDER GRANTING MOTION TO
ADMIT COUNSEL PRO HAC VICE**

This matter having been brought before the Court by motion to admit Alexander Maltas *pro hac vice* to appear and participate as counsel for Third Party Time Warner Cable Inc. in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the state in which he is admitted to practice law, and there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Alexander Maltas of the Bars of the Commonwealth of Massachusetts and the District of Columbia is admitted *pro hac vice* to practice before this Court as counsel for Time Warner Cable Inc. in these proceedings.

Dated: _____, 2011

Honorable Thomas P. Griesa
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIGIPROTECT USA CORP.,

10 Civ. 8759 (TPG) (MHD)

Plaintiff,

v.

DOES 1-266,

DECLARATION OF VIRGINIA TENT

Defendants.

VIRGINIA TENT, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

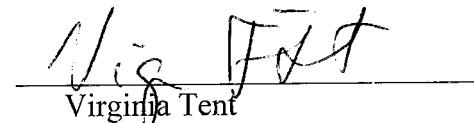
1. I am an associate of the law firm of Latham & Watkins LLP, counsel for Third Party Time Warner Cable in this action. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, for an Order granting Alexander Maltas admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned case.

2. I am a member in good standing of the bar of this Court.

3. I have reviewed the Declaration of Alexander Maltas in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the affidavit is true and correct. Alexander Maltas is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Alexander Maltas to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 31 day of January, in New York, New York.


Virginia Tent

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIGIPROTECT USA CORP.,

10 Civ. 8759 (TPG) (MHD)

Plaintiff,

v.

DOES 1-266,

**DECLARATION OF ALEXANDER
MALTAS**

Defendants.

ALEXANDER MALTAS, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

1. I am an associate with the law firm of Latham & Watkins LLP.
2. I submit this declaration in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bars of the Commonwealth of Massachusetts and the District of Columbia.
4. Wherefore your declarant respectfully submits that he be permitted to appear as counsel for third party Time Warner Cable Inc. and advocate *pro hac vice* in this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of January, in New York, New York.



Alexander Maltas



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D.C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia
Court of Appeals, do hereby certify that

ALEXANDER MALTAS

was on the 12TH day of NOVEMBER, 2004

duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on January
20, 2011.

JULIO A. CASTILLO
Clerk of the Court

By: J. Pendegast
Deputy Clerk

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston
within and for said County of Suffolk, on the **eighteenth**
day of **December** A.D. **2003**, said Court being the highest
Court of Record in said Commonwealth:

Alexander Maltas

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this twenty-fourth day of January,

in the year of our Lord two thousand and eleven



Maura S. Doyle
MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIGIPROTECT USA CORP.,

Plaintiff,

v.

DOES 1-240,

Defendants.

10 Civ. 8760 (PAC) (HP)

CERTIFICATE OF SERVICE

I, Jessica Bengels, hereby certify that on January 31, 2011, true and correct copies of the annexed (1) Notice of Motion to Admit Counsel *Pro Hac Vice*, dated 1/31/11; (2) [Proposed] Order Granting Motion to Admit Counsel *Pro Hac Vice*; (3) Declaration of Virginia Tent, dated 1/31/11; and (4) Declaration of Alexander Maltas in Support of Motion to Admit Counsel *Pro Hac Vice*, dated 1/28/11, were caused to be served via First Class United States Mail upon:

John Britton Payne, Esq.
Jonathan E. Moskin, Esq.
Foley & Lardner LLP
90 Park Avenue
New York, New York 10016
Attorneys for Plaintiff Digiprotect USA Corporation

John D. Seiver, Esq.
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, New York 10019
Attorneys for Movant Comcast Cable Communications Management, LLC

-and-

Lance Herman Koonce, III, Esq.
Davis Wright Tremaine LLP
1633 Broadway
New York, New York 10019
Attorneys for Movant Comcast Cable Communications Management, LLC